

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

JAYLIN JAWON BRADLEY,

Plaintiff,

vs.

NORTHLAND CONCRETE AND
MASONRY CO., LLC,

Defendant.

4:24-CV-04140-KES

ORDER DENYING PLAINTIFF'S
MOTION TO APPOINT COUNSEL

Plaintiff, Jaylin Jawon Bradley, filed a pro se complaint alleging retaliation and discrimination. Docket 1. Bradley moves to appoint counsel. Docket 2. "A pro se litigant has no statutory or constitutional right to have counsel appointed in a civil case." *Stevens v. Redwing*, 146 F.3d 538, 546 (8th Cir. 1998). The court "may request an attorney to represent any person unable to afford counsel." 28 U.S.C. § 1915(e)(1). When determining whether to appoint counsel to a pro se litigant, the court considers the "factual complexity of the case, the ability of the indigent to investigate the facts, the existence of conflicting testimony, the ability of the indigent to present his claim and the complexity of the legal issues." *Abdullah v. Gunter*, 949 F.2d 1032, 1035 (8th Cir. 1991) (citation omitted). Bradley's claims do not appear to be factually or legally complex, and his filings clearly set forth his claims. Because this court believes that Bradley can adequately present his claims at this time, his motion to appoint counsel, Docket 2, is denied.

Thus, it is ORDERED that Bradley's motion to appoint counsel, Docket 2, is denied.

Dated July 29, 2024.

BY THE COURT:

/s/ Karen E. Schreier

KAREN E. SCHREIER
UNITED STATES DISTRICT JUDGE